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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED¹⁵⁷

MAY 11, 2015
MAY 11 2015

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Frank Ortiz

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

15c 4181

Judge Rebecca R. Pallmeyer
Magistrate Judge Jeffrey Cole
PC 7

Ca

(To be supplied by the clerk)

vs.

City of Chicago;
Rahm Emanuel;
Chicago Police Department;
Garry McCarthy;
Sgt. Michael A. Ogliore;
Det. Kevin T. Mullane;
Officer M. Hein;
Det. Michael J. Donough.

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Frank Ortiz
- B. List all aliases: _____
- C. Prisoner identification number: #2013-0703165
- D. Place of present confinement: DOC-Cook County Jail
- E. Address: 2600 S. California Ave, Chicago, IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Rahm Emanuel, City of Chicago
Title: Mayor of Chicago
Place of Employment: City Hall, of Chicago.
- B. Defendant: Garry F. McCarthy, Chicago Police Dept.
Title: Superintendent of Police, Chicago
Place of Employment: 3510 S. Michigan Ave, Chicago, Ill.
- C. Defendant: Sgt. Ogliore, Michael A. Star No: 1267
Title: Seargent, for Chicago Police Department
Place of Employment: 2452 W. Belmont (District 019)

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

- D. Defendant: Det. Mullane, Kevin T. Star NO: 20124
Title: Detective, for Chicago Police Department
Place of Employment: 2452 W. Belmont (District 019)
- E. Defendant: Officer Hein, M. Star NO: 19700
Title: Police Officer, for Chicago Police Dept.
Place of Employment: 2452 W. Belmont (District 019)
- F. Defendant: Det. Donough, Michael J. Star NO: 20245
Title: Detective, for Chicago Police Department
Place of Employment: 2452 W. Belmont (District 019)
- G. Defendant: City of Chicago
Title: Municipal Corp.
Place of Employment: City Hall, of Chicago
- H. Defendant: Chicago Police Department
Title: Municipal Corp.
Place of Employment: 3510 S. Michigan^{Ave}, Chicago, IL.
Defendant: _____
Title: _____
Place of Employment: _____

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: None
- B. Approximate date of filing lawsuit: None
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: None
- D. List all defendants: None
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): None
- F. Name of judge to whom case was assigned: None
- G. Basic claim made: None
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): None
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

1. On May 21, 2013 Frank Ortiz was taken into custody by the Chicago Police Department and charged with Theft Last/Mislaid/Prop/<\$500, I never had any Property.
2. Nobody said, I did anything. Nobody said, they seen me do anything. No call to 911 saying anything happened.
3. I was never in any car when I was arrested, I was on the street in front of my Res. at 1622 N. California, Chicago, IL.
4. At that time I was seized and searched, false charges were put on me and I was incarcerated for 9 days, and the court dismiss the charges on May 30, 2013 (Case #13120232501).

Parties

1. Plaintiff, Frank Ortiz is a citizen of Cook County, Illinois, currently incarcerated at Cook County Jail (#2013-0703165).

2. Defendant, Rahm Emanuel, is the Mayor of Chicago, Illinois, and is sued in his official capacity.

3. Defendant, Garry F. McCarthy, is the Superintendent of Police, for Chicago, Illinois, and is sued in his official capacity.

4. Defendants, Sgt. Ogliore, M. #1267, Det. Mullane, K. #20124 and P.O. Hein, M. #19700, those officers are the ones who seized and searched me, put false charges on me and I was incarcerated for 9 days.

5. Defendant, Det. McDonough, M. #20245, was investigator, first Officer on scene and reporting officer, because of his wrong investigation I was charged and incarcerated for 9 days.

6. Defendant, City of Chicago, is sued because it is legally responsible for the actions of its employee's actions. 7. Defendant, Chicago Police Department, is sued because it is legally responsible for the actions of its employee's actions.

8. This seizures and searches and false arrest happened on 5-21-13 at 1622 N. California Ave, Chicago, Illinois. The false incarceration was at Cook County Jail from 5-22-13 to 5-30-13, and at C.P.D. from 5-21-13 to 5-22-13.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Awarding compensatory damages to Plaintiff and against Defendants.
Awarding punitive damages to Plaintiff and against Defendants.
Awarding costs of this action to the Plaintiff; and
Awarding such other relief as this Court deems appropriate.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 6 day of May, 20 15

Frank Ortiz
(Signature of plaintiff or plaintiffs)

FRANK ORTIZ
(Print name)

2013-0703165
(I.D. Number)

P.O. Box 089002
Chicago, IL 60608

(Address)